

1
2
3
4
5
6
7
8
9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
12 RUTH THROWER, et al.,

No. C-15-5575 MMC

13 Plaintiffs,

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
MOTION FOR ORDER ENLARGING
TIME; VACATING BRIEFING SCHEDULE
AND HEARING ON DEFENDANT'S
MOTION TO DISMISS; CONTINUING
HEARING ON PLAINTIFFS' MOTION TO
REMAND**

14 v.

15 GRANCARE, LLC dba VALE HEALTHCARE
16 CENTER, et al.,

17 Defendants.

18 /

19 Before the Court are four motions, filed sequentially by various parties to the above-
20 titled action: (a) defendant Mariner Health Care, Inc.'s "Motion to Dismiss Pursuant to
21 Federal Rules of Civil Procedure Rule 12(b)(2) for Lack of Personal Jurisdiction"
22 (hereinafter, "Motion to Dismiss"), filed December 14, 2015, and noticed for hearing on
23 February 19, 2016; (b) plaintiffs' "Motion for an Order Remanding the Case to State Court"
24 (hereinafter, "Motion to Remand"), filed December 15, 2015, and noticed for hearing on
25 January 22, 2016; (c) plaintiffs' "Motion for an Order (1) to Enlarge Time on the Briefing
26 Deadlines Relating to Defendant Mariner Health Care, Inc.'s Motion to Dismiss, Including
27 the December 28, 2015 Deadline for Plaintiffs' Opposition; (2) to Continue the Hearing on
28 Said Motion and (3) to Permit Plaintiff to Conduct Jurisdictional Discovery" (hereinafter,

1 "Motion to Enlarge Time"), filed December 18, 2015;¹ and (d) defendant Grancare, LLC's
2 "Motion to Disqualify Plaintiffs' Counsel" (hereinafter, "Motion to Disqualify"), filed
3 December 23, 2015, and noticed for hearing on February 5, 2016.

4 In light of the various issues raised by the above-referenced motions, the Court rules
5 as follows:

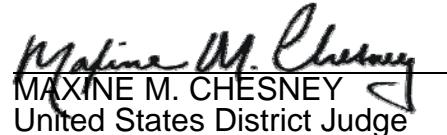
6 1. To the extent plaintiffs seek an order setting a new briefing schedule and hearing
7 date for Mariner Health Care, Inc.'s Motion to Dismiss, plaintiffs' Motion to Enlarge Time is
8 hereby GRANTED, and the current briefing and hearing dates on the Motion to Dismiss are
9 hereby VACATED.²

10 2. To the extent plaintiffs seek an order authorizing jurisdictional discovery, plaintiffs'
11 Motion to Enlarge Time is hereby DENIED without prejudice.

12 3. The hearing on plaintiffs' Motion to Remand is hereby CONTINUED to February
13 5, 2016.

14 **IT IS SO ORDERED.**

15 Dated: December 23, 2015


MAXINE M. CHESNEY
United States District Judge

25
26 ¹The Civil Local Rules pursuant to which the motion was filed do not provide for a
27 hearing.
28

²The Court will set a new briefing schedule on the Motion to Dismiss, if appropriate,
29 after it has ruled on the Motion to Remand and the Motion to Disqualify.